

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOODMAN BALL, INC.,)	
)	
Plaintiff(s),)	No. C07-1148 BZ
)	
v.)	ORDER GRANTING MOTION TO
)	WITHDRAW AS COUNSEL
CLEAR WATER USA, INC., et)	
al.,)	
)	
Defendant(s).)	
_____)	

On January 23, 2009, Michael C. Addison, attorney for the defendants, filed a motion to withdraw as counsel.

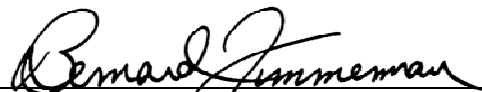
Having considered the moving papers, and having received no opposition papers from defendants, **IT IS HEREBY ORDERED** that the motion to withdraw as counsel for defendants is **GRANTED**. Mr. Addison has not personally provided any legal services to defendants Mach II Aviation, Inc. and Escape Velocity of Tampa Bay, Inc. His former law partner, Caryl E. Delano, represented the defendants in this case. On February 29, 2008, this case was conditionally dismissed with a sixty day moving period to restore the matter if the settlement was not consummated. On June 25, 2008, more than sixty days after

1 the conditional dismissal, Ms. Delano left her practice and
2 was sworn in as a United States Bankruptcy Judge for the
3 Middle District of Florida. On December 3, 2008, plaintiff
4 filed a motion to be relieved from default and to reopen the
5 case. The motion was granted on January 6, 2009. Since this
6 case has been reopened, defendants have not been communicating
7 with Mr. Addison. The defendants failure to communicate, in
8 addition to the fact that Mr. Addison did not provide any
9 legal services to defendants for the duration of this case,
10 provides sufficient cause for Mr. Addison to withdraw as
11 counsel of record. Plaintiff's argument that Mr. Addison's
12 withdrawal would be prejudicial is not persuasive because if
13 defendants fail to secure other counsel, their default will be
14 entered.

15 Mr. Addison is granted a conditional withdrawal pursuant
16 to Civil Local Rule 11-5(b). While Mr. Addison is relieved of
17 his responsibilities as counsel for defendants, papers for the
18 defendants may continue to be served on him, until defendants
19 appear by other counsel. Mr. Addison must serve this order on
20 defendants.

21 Given that the defendants, as corporations, cannot
22 represent themselves, **IT IS HEREBY ORDERED** that defendants
23 must obtain alternate counsel. If substitute counsel do not
24 file a general appearance by **May 1, 2009**, their default will
25 be entered.

26 Dated: March 9, 2009



Bernard Zimmerman
United States Magistrate Judge

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